

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE:

Case No. 08-69676

JIMMY DARIL DAVIS and
SHIRLEY RAYOMA DAVIS,

Chapter 7

Debtors.
_____ /

Judge Thomas J. Tucker

ORDER DENYING MOTION(S) FOR RECONSIDERATION

This case comes before the Court on Debtors' "Motion to Reconsider Opening Case," and Motion to Reinstate Case," each filed on December 30, 2008 (Docket ## 22 and 23, respectively), which this Court construes as motions for reconsideration of the December 24, 2008 Order dismissing this case (Docket # 19), and

The Court having reviewed and considered the Motions, and

The Court finds the Motions each fail to demonstrate a palpable defect by which the Court and the parties have been misled, and that a different disposition of the case must result from a correction thereof. *See* Local Rule 9024-1(a)(3).

In addition, the Court notes the following. First, the allegations in the Motions do not establish excusable neglect under Fed.R.Civ.P. 60(b)(1), FedR.Bankr.P. 9024, or any other valid ground for relief from the order dismissing this case.

Second, the amended Bankruptcy Petition Cover Sheet filed on December 29, 2008 (Docket # 21), which Debtors and their attorney all signed, appears clearly to be false. It states that there have been no "companion cases" filed. But these two Debtors did file a previous bankruptcy case in this Court, Case No. 97-58481. And the Court's order reassigning this case to the undersigned judge, filed December 5, 2008 (Docket # 10), stated that there was a prior case

filed by these Debtors, on October 31, 1997.

NOW, THEREFORE,

IT IS ORDERED that the Motions (Docket ## 22 and 23) should be, and are, DENIED.

Signed on December 30, 2008

/s/ Thomas J. Tucker

Thomas J. Tucker

United States Bankruptcy Judge